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February 1, 2006 LB 975

PRESIDENT SHEEHY: Senator Chambers, you're recognized to open on the amendment to the committee amendment.

SENATOR CHAMBERS: Thank you, Mr. President. This amendment states that on page 6, in line 16--and, Mr. Clerk, if you'll look with me and make sure that I have the right lines and page number, because Senator Schrock doesn't play around when you're on his bill--the amendment should say, on page 6 in line 16, and on page 7 in line 13, after the word "available," insert the word "scientific." That's what the amendment would do, and it's what Senator Schrock and I had discussed. We're talking about the expansion of an existing facility, and the expansion is going to occur within a certain distance of one of these cold water streams or watersheds, and in the application for the expansion there must be provided scientific evidence to establish that if the expansion is allowed it will not pose a potential threat to this stream. But, in addition to the application having to have scientific information, the current language says "or other available information." Senator Schrock said his thinking in that regard is based on the idea that there could be other scientific information available which was not contained in the application. Perhaps it was not known at that time or available. Since I want to be sure that we're not lowering the standard by saying there must be scientific information in the application to justify the expansion, but then offer an alternative route which simply says "other information," but it need not be scientific, I want to have the assurance and have the statute contain that assurance that if there is other or additional information which is not contained the application, that other information must also be scientific in nature. So at both places in the bill where we have that alternative expressed in the words "or other available information," the word "scientific" would be inserted between "available" and "information," so that it reads "or other available scientific information," meaning that although it's outside of the application, it can be made use of and applied in this process to show a justification for the expansion, because based on that other scientific information the expansion will not pose the threat of harm to this stream that is being protected. If you have any questions on what I'm doing, I'm prepared to answer them. Thank you, Mr. President.